SUBSCRIBED AND SWORN TO BEFORE ME BY
THE ABOVE AFFIANT THIS 11th DAY OF
JAN 2007, MY COMMISSION
EXPIRES SEP 1 3 2008.

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JAN 18 2007 DB

06-CV-01537-BCST

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASH. AT SEATTLE

OMNI INNOVATIONS, LLC., A WASHINGTON LIMITED LIABILITY COMPANY; ET AL., Plaintiff/Petitioner vs. **INVIVA, INC., A KENTUCKY AND DELAWARE CORPORATION; ET AL.,** *Defendant/Respondent*	Hearing Date: CAUSE NO: **CV06-1537JCC** DECLARATION OF SERVICE OF: ***SUMMONS IN A CIVIL CASE; COMPLAINT***

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the **10th day of January, 2007, at 12:30 PM**, at the address of **9920 CORPORATE CAMPUS Drive SUITE 1000, LOUISVILLE, Jefferson** County, **KY 40223**; this declarant served the above described documents upon **INVIVA, INC.,**, by then and there personally delivering **1** true and correct copy(ies) thereof, by then presenting to and leaving the same with **Craig Hawley, REGISTERED AGENT AND LEGAL COUSEL, A white male approx. 35-40 years of age 6'2"-6'4" in height weighing 200-220 lbs with brown hair**.

No Information was provided or discovered that indicates that the subjects served are members of the U.S. military.

Declarant hereby states under penalty of perjury under the laws of the State of **Washington** that the statement above is true and correct.

DATED this ***11th day of January, 2007***.

Shawn Lyons, Reg. # Special Bailiff, Jefferson County, KY

ABC's Client Name
Merkle, Siegel & Friedrichsen
Omni v. Inviva

ORIGINAL PROOF OF SERVICE

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